

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

NETLIST, INC.

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD, et al.

Defendants.

Civil Case No. 2:22-cv-00293-JRG

JURY TRIAL DEMANDED

**SAMSUNG'S UNOPPOSED MOTION
FOR A ONE-WEEK EXTENSION TO FILE REPLY BRIEFS**

Samsung respectfully seeks a one-week extension for the parties to file replies to the oppositions to the following motions: (1) Samsung's 50(b) Motion for Judgment as a Matter of Law, Dkt. 885, and (2) Netlist's Combined Rule 50(b) Motion for Judgment as a Matter of Law, Rule 59 Motion for a New Trial on the Issue of the Jury's Award of Damages in the Form of a Lump Sum to the Extent Samsung Claims It Constitutes a License for Future Use, and Contingent Rule 59(e) Motion To Amend Judgment, Dkt. 884.

Netlist filed its opposition to Samsung's JMOL motion on January 14, 2025 and Samsung's reply brief is currently due on January 22, 2025. Samsung filed its opposition to Netlist's JMOL motion on January 13, 2025 and Netlist's reply brief is currently due on January 21, 2025.¹ Under the proposed extension, Samsung's reply would be due on January 29, 2025, and Netlist's reply would be due on January 28, 2025:

¹ Netlist and Samsung filed their respective opposition briefs after 5:00 PM CST, so they are deemed served the following day.

Event	Current Deadline	Proposed Deadline
Samsung's Reply in Support of Motion 50(b) for Judgment as a Matter of Law	January 22, 2025	January 29, 2025
Netlist's Reply in Support of Combined Rule 50(b) Motion for Judgment as a Matter of Law, Rule 59 Motion for a New Trial on the Issue of the Jury's Award of Damages in the Form of a Lump Sum to the Extent Samsung Claims It Constitutes a License for Future Use, and Contingent Rule 59(e) Motion To Amend Judgment	January 21, 2025	January 28, 2025

Good cause exists for Samsung's requested extension. Specifically, several members of Samsung's case team are currently in trial before this Court in *Headwater Research LLC v. Samsung Elecs. Am. Inc.*, No. 2:22-cv-00422-JRG-RSP. The local rules normally provide one week to file a reply brief. L.R. CV-7(f). To fully respond to Netlist's 58-page opposition brief when several members of the case team are in trial, Samsung seeks a modest one-week extension to January 29, 2025.

Samsung proposed that the parties jointly move for mutual one-week extensions for the reply briefs to the parties' respective JMOL motions and conferred on this request. Netlist asked Samsung to include the following statement of its position:

Netlist does not oppose a mutual extension of 1-week for JMOL replies. Netlist requested that Samsung stipulate that it would not use this 1-week extension as a basis to oppose Netlist's request for an injunction. Netlist opposes using the 1-week extension as a basis to deny Netlist's injunction request.

Samsung does not oppose a one-week extension for Netlist's reply brief.

Although not relevant to this motion because Netlist does not oppose the requested extension, Netlist's requested stipulation was overly broad. Samsung would not ask the Court to use the requested extension as another reason to deny Netlist's injunction motion, but Samsung does not waive its arguments made in response to Netlist's injunction motion, Dkt. 872, or in

support of Samsung's motion to amend the judgment and stay the case pending resolution of the C.D. Cal. Case, Dkt. 886, or Samsung's other post-trial motions.

Accordingly, Samsung respectfully seeks an order extending the period for reply briefs by one-week.

Dated: January 16, 2025

Respectfully submitted,

By: /s/ Ruffin B. Cordell

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule CV-5 on January 16, 2025. As of this date, all counsel of record have consented to electronic service and are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3)(A).

/s/ Ruffin B. Cordell